

**Docket No.: TJU-2389**

**Serial No.: 09/819,252**

**PATENT APPLICATION**

**Filed: March 27, 2001**

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP NO. 1642**

the presence of CDX2 transcript or translation product wherein the presence of CDX2 transcript or translation product in a stomach sample confirms the diagnosis of stomach cancer.

**New claim 35.** The method of claim 26 wherein the presence of CDX2 gene transcription product is determined by polymerase chain reaction wherein said sample is contacted with primers that selectively amplify CDX2 gene transcript or cDNA generated therefrom.

**New claim 36.** A method of confirming the diagnosis of esophageal cancer in an individual who has been diagnosed as having esophageal cancer comprising the step of examining a sample of esophagus tissue from an individual who has been diagnosed as having esophageal cancer to detect the presence of CDX2 transcript or translation product wherein the presence of CDX2 transcript or translation product in an esophageal sample confirms the diagnosis of esophageal cancer.

**New claim 37.** The method of claim 30 wherein the presence of CDX2 gene transcription product is determined by polymerase chain reaction wherein said sample is contacted with primers that selectively amplify CDX2 gene transcript or cDNA generated therefrom.

## **REMARKS**

### **Status of the claims**

Claims 25, 27, 29 and 31 are pending in the application.

Claims 25 and 27 have been allowed.

Claims 29 and 31 have been rejected.

By way of this amendment, new claims 34-37 have been added.

Upon entry of the amendment, claims 25, 27, 29, 31 and 34-37 will be pending.